



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/918,781	07/31/2001	Brian R. Gephart	14698.1.1	3286

22913 7590 11/22/2005

WORKMAN NYDEGGER
(F/K/A WORKMAN NYDEGGER & SEELEY)
60 EAST SOUTH TEMPLE
1000 EAGLE GATE TOWER
SALT LAKE CITY, UT 84111

EXAMINER

DASS, HARISH T

ART UNIT PAPER NUMBER

3628

DATE MAILED: 11/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/918,781

Applicant(s)

GEPHART ET AL.

Examiner

Harish T. Dass

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen (US 6,422,462) in view of Dorf (US 6,189,787).

Re. Claim 1, Cohen discloses issuing a limited-use account number associated with the account at a computer in the computer system, the limited-use account number remaining inactive until the account holder requests activation thereof [abstract; Figure 1; C3 L35-L38; C7 L30-L32; C8 L25-L26; C4 L4-L5; C12 L34-L57]; activating the limited-use account number at the computer in response to said communication from the transaction card [Figure 1; C3 L40-L48; C12 L34-L61]; transferring funds from the account in response to the account holder making an authorization using the limited-use number [C10 L63 to C11 L11]; and deactivating the limited-use account number such that the deactivated limited-use account number cannot be used to transfer funds until another request for activation is made by the account holder [Figure 1; C5 L49-L51; C7 L56-L61].

Cohen does not explicitly disclose receiving a communication at the computer from a transaction card system wherein said communication includes a request for activation of the limited-use number, and communication from the transaction card system. However, Dorf discloses these features [Abstract; Figure 1; C1 L15-L28; C2 L4-L24; C3 L33-L47] to provide an inexpensive activation system to allow the user to purchase or recharge pre-paid card (limited-use number) without using a closed system. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Cohen and include receiving a communication (phone card activation data which includes encoded number) at the computer from a transaction card system wherein said communication includes a request for activation of the limited-use number, and communication from the transaction card system, as disclosed by Dorf, to facilitate an easy and inexpensive activation system for pre-paid cards ((limited-use number).

Re. Claim 2, Cohen discloses wherein the act of deactivating the limited-use account number is conducted upon expiration of a specified period of time that begins when the act of activating the limited-use account number is conducted [C6 L4-L8].

Re. Claim 3, Cohen discloses wherein the act of deactivating the limited-use account number is conducted after the act of transferring funds from the account is repeated a specified number of times [C11 L56 to C12 L15; C12 L34-L36].

Art Unit: 3628

Re. Claim 4, Cohen discloses wherein the act of deactivating the limited-use account number is conducted after the act of executing a transaction of having a dollar amount specified by the account holder [C11 L5-L6].

Re. Claim 5, Cohen discloses wherein the account information further includes a private identifier associated with the account holder, wherein the act of activating the account number is conducted only after the account holder transmits a copy of the private identifier to the account issuer (corporation customized card) [Abstract; C7 L30-L34].

Re. Claim 6, Cohen discloses further comprising the act of establishing the account, wherein the account represents a line of credit provided for the account holder [C8 L24-L30; C9 L8-L12].

Re. Claim 7, Cohen discloses issuing a first account number associated with an account established by the account issuer at a computer in the computer system, the first account number being activated such that an account holder associated with the account is capable of repeatedly authorizing funds (monitor, control and regulate) to be transferred from the account using the first account number [abstract; Figure 1; C1 L35-L45; C7 L30-L32; C8 L25-L26; C4 L4-L5; C12 L34-L57]; issuing a second account number associated with the account at a computer, the second account number remaining inactive until the account holder requests activation thereof [C9 L12-L30; C4 L4-L5; C12 L34-L57]; activating the second account number in response to the request

Art Unit: 3628

for activation [Figure 1; C3 L40-L48; C11 L57 to C12 L15]; transferring funds from the account in response to the account holder making an authorization using the second account number [C10 L63 to C11 L11; C8 L41-L57]; and deactivating the second account number [C5 L49-L51; C7 L56-L61].

Cohen does not explicitly disclose receiving a communication at the computer in response to an account holder using a transaction card at a card reader, the communication including a request for activation. However, Dorf discloses these features [Abstract; Figure 1; C1 L15-L28; C2 L4-L24; C3 L33-L47] to provide an inexpensive activation system to allow the user to purchase or recharge pre-paid card (limited-use number) without using a closed system. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Cohen and include receiving a communication (phone card activation data which includes encoded number) at the computer in response to an account holder using a transaction card at a card reader, the communication including a request for activation, as disclosed by Dorf, to facilitate an easy and inexpensive activation system for pre-paid cards (limited-use number).

Re. Claim 8, Cohen discloses further comprising the act of transferring funds from the account in response to the account holder making another authorization, wherein the other authorization is made using the first account number, the first account remaining activated after the funds have been transferred [C5 L49-L51; C7 L56-L61; C10 L63 to C11 L11].

Re. Claim 9, Cohen discloses wherein the act of deactivating the second account number is conducted upon expiration of a specified period of time that begins when the act of activating the second account number is conducted [C6 L4-L8].

Re. Claim 10, Cohen discloses wherein the act of deactivating the second account number is conducted when the act of transferring funds from the account has been conducted a specified number of times [C11 L56 to C12 L15; C12 L34-L36].

Re. Claim 11, Cohen discloses further comprising the act of establishing the account, wherein the account represents a line of credit provided for the account holder [C8 L24-L30; C9 L8-L12].

Re. Claim 12, Cohen or Dorf does not explicitly disclose comprising the act of establishing the account, wherein the account is a deposit account to which the account holder deposits funds. However, this limitation is well known to customer with debit card which is connected to the saving account which allows the purchases to be deducted from account directly. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Cohen and Dorf and include a debit card connected with customer saving account to allow the card purchases be withdrawn directly from the customer account and save the time of sending statement and due coupons.

Re. Claim 13, Cohen discloses issuing a limited-use account number to an account holder, wherein the limited-use number is associated by the intermediary institution (store card) to a regular account number issued by the other financial institution to the account holder [C7 L30-L32; C8 L25-L26; C8 L32-L33]; activating the limited-use account number in response to a request made by the account holder [C3 L42-L48]; receiving a request from the account holder for the transfer of funds, the request from the account holder having been made using the limited-use account number [C5 L44-L47; C10 L63 to C11 L11]; in response to the request from the account holder, issuing a request for the transfer of funds to financial institution using the associated regular account number, resulting in the financial institution transferring funds [C10 L63 to C11 L11]; and deactivating limited-use account number [C5 L49-L51; C7 L56-L61].

Cohen does not explicitly disclose computer of an intermediary financial institution and using a transaction card, wherein the transaction card includes encoded data that allows the account holder to activate the limited account number and wherein the encoded data is included in the request. However, Dorf discloses these features [Abstract; Figure 1; C1 L15-L28; C2 L4-L24; C3 L33-L47; C5 L21-L44 - see POS device] to provide an inexpensive activation system to allow the user to purchase or recharge pre-paid card (limited-use number) at retail location. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Cohen and include using a transaction card, wherein the transaction card includes encoded data (card number) that allows the account holder to

Art Unit: 3628

activate the limited account number and wherein the encoded data is included in the request, as disclosed by Dorf, to facilitate an easy and inexpensive activation system for pre-paid cards ((limited-use number)).

Re. Claim 14, Cohen discloses wherein the act of deactivating the limited-use account number is conducted upon expiration of a specified period of time that begins when the act of activating the limited-use account number is conducted [C6 L4-L8].

Re. Claim 15, Cohen discloses wherein the act of deactivating the second account number is conducted when the act of issuing a request from the account holder for the transfer of funds has been conducted a specified number of times [C11 L56 to C12 L15; C12 L34-L36].

Re. Claim 16, Cohen discloses receiving a request from a merchant for verification of the availability of the funds using the limited-use account number and issuing a request to the account issuer for verification of the funds using the associated regular account number, receiving a response to the request to the account issuer; and forwarding the response to the merchant [C5 L26-L58];

Re. Claim 17, Cohen discloses wherein the act of receiving a request from the account holder for the transfer of funds is conducted after communication has been established

with the computer system by the account holder using a transaction card [C3 L34-L40; C10 L63 to C11 L11];

Re. Claim 18, Cohen discloses receiving a limited-use account number associated with an account established by an account issuer at a computer of the account issuer, the limited-use account number remaining inactive until the account holder requests activation thereof [C1 L58-L59; C5 L44-L47; C10 L63 to C11 L11]; using the transaction card to initiate communication with the account issuer, requesting activation of the limited-use account number under a limited-use condition [C3 L34-L40; C10 L63 to C11 L11; C11 L16-L17]; and after activation of the limited-use account number, authorizing a transfer of funds using the limited-use account number under the limited-use condition, wherein the limited-use account number is deactivated after the limited-use condition is satisfied [C5 L49-L51; C7 L56-L61; C3 L19-L27].

Cohen does not explicitly disclose according to encoded data on the transaction card that enables the account holder to activate the limited-use account number, wherein the encoded data is received by the computer of the account issuer during activation of the limited-use account number.

However, Dorf discloses these features [Abstract; Figure 1; C1 L15-L63; C2 L4-L24; C3 L33-L47] to provide an inexpensive activation system to allow the user to purchase or recharge pre-paid card (limited-use number) without using a closed system. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Cohen and include according to encoded data on

Art Unit: 3628

the transaction card that enables the account holder to activate the limited-use account number, wherein the encoded data is received by the computer of the account issuer during activation of the limited-use account number, as disclosed by Dorf, to facilitate an easy and inexpensive activation system for pre-paid cards ((limited-use number).

Re. Claim 19, Cohen discloses wherein the act of initiating communication is conducted in response to the account holder activating a card reader using the transaction card [Figure 1; C3 L35-L38; C7 L30-L32; C8 L25-L26].

Re. Claim 20, Cohen discloses wherein the act of requesting activation of the limited-use account number further comprises the act of selecting, by the account holder, a specific time after which the limited-use number will become deactivated [C6 L4-L8].

Re. Claim 21, Cohen discloses wherein the act of requesting activation of the limited-use account number further comprises the act of selecting, by the account holder, a number a specific number of transactions after which the limited-use account number will become deactivated [C11 L56 to C12 L15; C12 L34-L36].

Response to Arguments

Applicant's arguments filed 8/29/2005 have been fully considered but they are not persuasive. Because, the added limitation is addressed in rejection of claims.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harish T. Dass whose telephone number is 571-272-6793. The examiner can normally be reached on 8:00 AM to 4:50 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 571-272-6799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3628

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Harish T Dass
Examiner
Art Unit 3628

HTD
11/08/05


HYUNG SODGH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600